AFFIDAVIT

STATE OF TEXAS §

COUNTY OF BEE §

BEFORE ME, the undersigned authority, on this day personally appeared *MRS*, JERRY DUNSON (also known as JANORA DUNSON) the duly authorized Secretary of CHRISTIAN VIDEO MINISTRIES, INC., known to me to be the person who subscribed her name below and who, after having first been duly sworn by me, on oath deposes and says:

“After recently receiving material concerning the “closed captioning ruling” from Bingham McCutchen Law firm, I called and spoke to **Mr.** Michael Jacobs with the FCC. He made me aware of two FCC notices releases soliciting comments on the numerous petitions for “undue burden exemption from the closed captioning rules”! A copy of our exemption is attached. I’m grateful for the notices because our organization was unaware of them. We did not detail our request for exemption because it seemed sufficient to state that it would bring to bear a substantial financial hardship on this non-profit organization. However, since such a stipulation would indeed be a financial burden too great for this organization, other documentation is enclosed for your serious consideration.

Christian Video Ministries, Inc. was organized for the sole purpose of filming, editing and broadcasting the chalk-talk sermons of a Baptist preacher, Dr. Peter S. Ruckman of Pensacola, Florida. Dr. Ruckman illustrates his Sunday evening sermon from the Word of God in colored chalk, making for a most unusual and unique visual ministry. The saying, “A picture is worth a thousand words”, suggests an alternative for the “closed captioning”. This organization has been filming Dr. Ruckman and airing his chalk-talk sermons for over twenty years. Given the benefit of the doubt, I have overseen all correspondence for this TV ministry and can say with assurance, we may have received one letter over these many years inquiring about “closed captioning”. Dr. Ruckman is a very sound Bible teacher and preacher, and while we would like for every one to see and hear these sermons, we know that the Gospel message is available in “closed captioning” format for those who are really interested in God’s Word. Additionally since this is a visual ministry, the very fact that the “closed captioning” would distort the picture for the viewer is not a good idea.

Since the organization's inception, NO SOLICITATION has ever been made for money on the air. Personnel for the law firm mentioned above, suggested in their correspondence that we find sponsors who would pay for the cost of "closed captioning". This idea is unacceptable to the principals of our organization. We have at present 1319 edited tapes in four different formats that would require "closed captioning". The tapes are approximately one hour in length. From the "closed captioning" advertisements which have come to us since the FCC "ruling", it is plain to calculate the cost to us would be upwards of Three Hundred Seventy-Five Thousand Dollars (\$375,000.00), and this would not include freight to and from the company. Enclosed are financial statements for this organization for the last three (3) years, plainly indicating the fact that we do not have the finances to cover such costs.

It is interesting to note that few viewers would benefit from the "closed captioned", however, these companies now soliciting our business would benefit greatly. We protest as we have a right to put out the Gospel message without such harassment. There should be some semblance of reality considered and we ask that this be done. We have had faithful viewers over the years that have helped this ministry by their "unsolicited" gifts, and they would be sorely disappointed should the program not be able to be aired due to the greed of other. Please let common sense be the "rule" here and not "closed captioning"!"

Further Affiant saith naught

CHRISTIAN VIDEO MINISTRIES, INC.  
AFFIANT

By *Janora Dunson*  
JANORA DUNSON, Secretary

SUBSCRIBED AND SWORN TO by the said JANORA DUNSON, Secretary of CHRISTIAN VIDEO MINISTRIES, INC., a Texas non-profit corporation, on behalf of said non-profit corporation, this 30th day of April, 2007, to certify which witness my hand and seal of office.



*Cris Alvarado*  
Notary Public in and for  
Bee County, Texas

Printed Name of Notary  
My Commission Expires: \_\_\_\_\_



Federal Communications Commission  
Washington, D.C. 20554

Nov. 06  
(888) 225 5322  
Rec'd

Reference: CGB-CC-0235

Christian Video Ministries, Inc.  
Jerry Dunson  
P.O. Box 1466  
San Antonio, TX 78295-1466

Re: Petition for exemption from the closed captioning rules under the "undue burden" standard, 47 C.F.R. § 79.1(f)

Dear Mrs. Dunson,

As you were previously notified, the Federal Communications Commission received the petition you filed on behalf of Christian Video Ministries, Inc. on January 4, 2006 seeking an exemption from the closed captioning requirements set forth in section 79.1 of the Commission's rules.<sup>1</sup> The exemption sought was based on the undue burden standard set forth in section 79.1(f). As explained below, after careful consideration we grant your petition for exemption from the closed captioning requirements for Christian Video Ministries, Inc.

Pursuant to section 79.1(f) of the Commission's rules, an exemption from closed-captioning requirements may be granted for a channel of video programming, a category or type of video programming, an individual video service, a specific video program *or* a video programming provider upon a finding that the closed captioning requirements will result in an undue burden upon the petitioner. Furthermore, the statute and the Commission's rules define the term "undue burden" to mean "significant difficulty or expense."<sup>2</sup> Applying this standard, the Consumer and Governmental Affairs Bureau recently issued an Order granting exemptions from the closed captioning requirements under the undue burden standard to two entities that are similarly situated to the petitioner in the instant case.<sup>3</sup> In that Order, the Bureau noted that in addressing undue burden petitions:

[W]e must "balance the need for closed captioned programming against the potential for hindering the production and distribution of

<sup>1</sup> 47 C.F.R. § 79.1, implementing section 713 of the Communications Act of 1934, as amended, 47 U.S.C. § 613, which was added to the Communications Act by section 305 of the Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56 (codified at 47 U.S.C. § 151 *et seq.*).

<sup>2</sup> 47 U.S.C. § 613(e); 47 C.F.R. § 79.1(f)(2).

<sup>3</sup> *In the Matter of Anglers for Christ Ministries, Inc., New Beginning Ministries, Video Programming Accessibility Petitions for Exemption from Closed Captioning Requirements*, Case Nos. CGB-CC-0005 and CGB-CC-0007, Memorandum Opinion and Order, DA 06-1802, (CGB rel. Sept 11, 2006).

programming.” For these reasons, we note that, in the future, when considering an exemption petition filed by a non-profit organization that does not receive compensation from video programming distributors from the airing of its programming, and that, in the absence of an exemption, may terminate or substantially curtail its programming, or curtail other activities important to its mission, we will be inclined favorably to grant such a petition because. . . this confluence of factors strongly suggests that mandated closed captioning would pose an undue burden on such a petitioner.<sup>4</sup>

After careful review of the circumstances set forth in your petition, and in light of the relevant precedent discussed above, we conclude that application of the closed captioning requirements in this case would cause an undue burden. We therefore grant your petition pursuant to section 79.1(f).<sup>5</sup>

Any inquiries regarding this matter should be directed to the undersigned at (202) 418-1475 (voice), (202) 418-0597 (TTY), or [Thomas.Chandler@fcc.gov](mailto:Thomas.Chandler@fcc.gov). Please refer to the case identifier number noted above in any email correspondence or telephone conversations with Commission staff.

Sincerely,



Thomas E. Chandler  
Chief, Disability Rights Office  
Consumer and Governmental Affairs Bureau

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<sup>4</sup> *Id.* at para 11 (citation omitted).

<sup>5</sup> Section 79.1(f) sets forth certain procedures to guide the Commission’s consideration of undue burden petitions, including that the petition be placed on Public Notice and that the petition contain detailed facts supported by affidavit. 47 C.F.R. § 79.1(f)(5)-(9). The Commission, however, may waive its rules for good cause, and, in light of the facts set forth in your petition and the precedent discussed above, we conclude that waiving these requirements in the instant case is consistent with the public interest.

Prepared By	Initials	Date
Approved By		

# CVM

## Closing Entries

### December 31, 2004

© WILSON JONES COMPANY

B7104 BUFF G7104 GREEN

MADE IN U.S.A.

		1	2	3	4
1	✓	Contributions - CASH	161910.27		
2	✓	Non-CASH Contributions	26409.40		
3	✓	Off. Sup.		4380	
4	✓	Fees		32702.63	
5	✓	Freight		2947.50	
6	✓	Bank chg		625	
7	✓	Postage		2086.90	
8	✓	Telecasting		128893.75	
9	✓	Literature		835.43	
10	✓	Miscellaneous Exp.		44.00	
11	✓	Fund Balance		20759.41	
12		Totals	188319.67	188319.67	
13					
14					
15					
16					
17					
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24					
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27					

Prepared By	Initials	Date
Approved By		

LVM  
Closing Entries  
December 31, 2005

WILSON JONES COMPANY

B7104 BUFF G7104 GREEN

MADE IN U.S.A.

	1	2	3	4	
1	Cash Contributions	33404318			1
2	Non-Cash Contributions	474832			2
3	Tape Expense		229 00		3
4	Repairs - Equip.		123200		4
5	Fees		1906054		5
6	Freight		283198		6
7	Bank Chg		175		7
8	Postage		204654		8
9	TV Telecasting		16136500		9
10	Literature		40897		10
11	Video Supplies		5951		11
12	Miscellaneous		4400		12
13	Special Mission Acct		6600000	256,280.19	13
14	Current Unrestricted Fund		8551121		14
15	Totals	33879150	33879150		15
16					16
17					17
18					18
19					19
20					20
21					21
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Christian Video Ministries, Inc.

Closing Entries  
December 31, 2006

Prepared By	Initials	Date
Approved By		

© WILSON JONES

G7503 ColumnWrite®

		1	2	3
1	Cash Contributions	21578640		
2	Non-Cash Contributions	469198		
3	Page Expense		59218	
4	Off Supplies		16995	
5	Fees		4356103	
6	Freight		256655	
7	Postage		212543	
8	Telecasting		19241750	
9	Literature		59790	
10	Miscellaneous Exp.		4600	
11	Current Unrestricted Fund	2159816		
12	Totals	24207654	24207654	



February 20, 2007

Dear Television Program Producer:

As I am sure you already know, effective January 1<sup>st</sup> 2006, the Federal Communications Commission began requiring all English speaking television programs to be closed captioned for the hearing impaired. While there are some exemptions to this requirement, the vast majority of television programs aired on television broadcast stations and cable outlets need to have closed captioning added.

Perhaps you, like many television producers, are currently operating under a temporary exemption while your application to the FCC to be permanently exempt from closed captioning is being reviewed. Once the FCC gives a ruling on your application, you might need the assistance of Atlantic Coast Communications - the company that could potentially be your **closed captioning partner**.

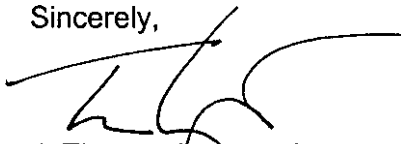
Atlantic Coast Communications can take care of any of your closed captioning needs. We assist program producers located throughout the United States.

I am attaching a fact and rate sheet on our closed captioning services as well as testimonials from a few of our clients. I know you will find our services competitively priced, with a quick turnaround, and attention given to detail. Atlantic Coast Communications has closed captioning projects airing on major network affiliates, local cable companies, as well as national cable channels.

We can turn your project around in under one week and within **48** hours if need be. We also work with all types of media, from Beta SP to Mini DV to DV Cam to DVD.

We would love to assist you with your close captioning needs. Please don't hesitate to call 'me if you have any further questions.

Sincerely,



J. Thomas Lamprecht  
President / ACC

ATLANTIC COAST COMMUNICATION, INC.  
3219 LANDMARK STREET • SUITE 3-B • GREENVILLE, NORTH CAROLINA 27834  
VOICE: 252.756.7220 FAX: 252.756.7008 E-MAIL: [production@accradio.com](mailto:production@accradio.com)  
REAL AUDIO WEBSITE: [www.accradio.com](http://www.accradio.com)





Marketing & Advertising  
Graphic Design  
Media Placement  
Broadcast Production  
Web Design & Hosting  
Closed Captioning

[www.newdaymedia.com](http://www.newdaymedia.com)  
p (918) 250-4588 f (918) 294-1186  
8321 East 61st Street, Suite 100  
Tulsa, Oklahoma 74133

Jerry Dunson  
Christian Video Ministries, Inc.  
P.O. Box 1466  
San Antonio, TX 78295

RE: Closed Captioning Sponsorship  
ENCLOSURES

Dear Jerry,

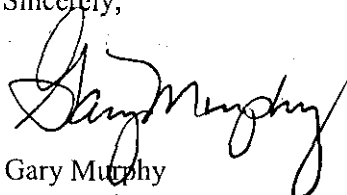
Recently I sent you a letter regarding closed captioning your television programs. I wanted to follow up on your ministries changing needs and because the requirements are ever evolving. Few understand the great sacrifice and expense that your ministry has endured to develop a successful gospel program. As a Christian businessman, I would like to remind you of a few points to consider when weighing the cost versus the benefits of captioning your program:

1. Since captioning provides you with a minimum 10% increase in audience, it is a good investment for a growing television ministry. Remember, captioning is not just for the deaf; a great number of people are getting older each year, becoming hearing impaired and enjoying the aid of captioning.
2. Special fundraising to caption your program is another option to consider. If you look at your donor base, you might see your best donors are older people who would be willing to contribute for the benefit of such a service. Appealing to them to fund a service that they use regularly is a perfect way to raise money for a program.
3. The most popular option, that even the big network shows use, is to partner with a sponsor to provide for the cost of captioning. Sponsors pay the cost of captioning in return for advertisement benefits. Enclosed is a one sheet explaining the many benefits of attaining a sponsor and more importantly the benefits to the sponsor.

*We're not Big!*

Once you have acquired a sponsor then you only need to find a cost effective closed captioning service like New Day Media to get the programs captioned. We have found that many ministries who try to do the process in-house never get it off the ground. Usually the church either does not have the expertise in-house to do captioning or they are relying on volunteers who quickly get tired of the process. Besides why invest the thousands of dollars necessary in equipment and difficult training when you can outsource the service to professionals? My company, New Day Media, has a professional closed captioning department that provides exceptional television captioning with a very fast **48** hour turn around. Additionally, New Day Media also helps ministries in other areas of media. If you want to discuss any of your options please do not hesitate to call.

Sincerely,

  
Gary Murphy



# MEDIA IMAGES

4991 Transamerica Dr. • Columbus, Ohio 43228 • Phone (614) 410-3000. Fax (614) 410-3001

## Closed Captioning Reminder

March 20, 2007

Jerry Dunson  
Christian Video Ministries, Inc.  
P.O. Box 1466  
San Antonio, TX 78295-1466

Dear Mr. Dunson,

Recently you applied to the FCC for an exemption from the closed captioning requirements for your television program. I understand the financial burden this places on your ministry, however, you may not be aware there is a cost effective alternative to expensive captioning services. Media Images, one of the country's premier religious media companies, has developed a service designed exclusively for ministries, at very reasonable — .

Closed Captioning - 30 Minute Program - \$199.00

Closed Captioning - 60 Minute Program - ~~\$299.00~~

Our easy, inexpensive service will allow you to comply with the FCC closed captioning requirements immediately, or after your exemption expires. We offer duplication to and from most popular tape formats along with fast turn around times. This special pricing is open to ministries only and is not published on our website. To begin using our service, please call us at (614) 410-3000 or visit our website at [www.SmartCaptioning.com](http://www.SmartCaptioning.com).

Blessings,

Adam R. Grover

Media Images Inc.  
4991 Transamerica Dr.  
Columbus, OH 43228  
Phone: (614) 410-3000 ext. 104  
Fax: (614) 410-3001  
[www.SmartCaptioning.com](http://www.SmartCaptioning.com)



For over thirty years Dr. Ruckman has preached the Biblical plan of salvation. In churches, on radio, at camp meetings, on the streets, and now on television, no matter what kind of audience, the message is the same.

**Jesus Christ** is the only begotten Son of God. He shed His blood on Calvary as a payment for your sins. "For he hath made him to be sin for us, who knew no sin; that we might be made the righteousness of God in him." 1 Corinthians 5:21

**Faith alone** is what God wants from you, and in return He will freely grant you His righteousness. "But to him that worketh not, but believeth on him that justifieth the ungodly, his faith is counted for righteousness." Romans 4:5

**The Holy Bible** is God's revelation of His will to man. No man has a right to change any word in it. "For this cause also thank we God without ceasing, because, when ye received the word of God which ye heard of us, ye received it not as the word of men, but as it is in truth, the word of God, which effectually worketh also in you that believe." 1 Thess. 2:13

### **Drawing Men to Christ**

is produced by CVM, a group of Christians organized to make Dr. Ruckman's messages available for television. The broadcast quality tapes are mailed systematically for airing on each station. If you would like Dr. Ruckman to be televised in your area, many times at no cost to you, contact:

#### **Christian Video Ministries**

P.O. Box 1466  
San Antonio, TX 78295  
(512) 358-3416

# Drawing Men To Christ



produced by

**Christian Video Ministries**



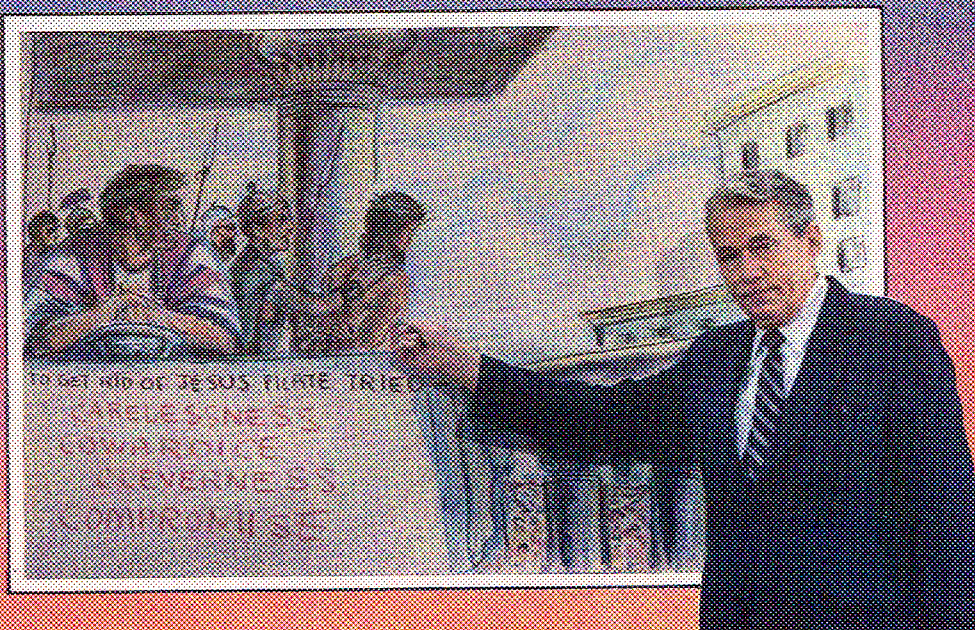
# *Drawing Men To Christ*

invites you to view a unique presentation of the gospel of Jesus Christ

**Dr. Peter S. Ruckman**

B.A., M.A., Ph.D.

Pastor of First Baptist Church, Pensacola, Florida, President and Founder of Pensacola Bible Institute, is an accomplished artist, published author of numerous books, pamphlets, commentaries, and tracts, and has travelled internationally as an Evangelist for over thirty years.



Dr. Ruckman combines the preaching of the word of God with a truly visual ministry by illustrating his Biblical messages with vivid, full color chalk drawings, making for memorable, clear, and enjoyable viewing.

Dr. Ruckman may be seen on channel \_\_\_\_\_ at \_\_\_\_\_